

Simplifying the Central Council Rules

Part 1 of 4 – Approach and Architecture

By Clyde Whittaker, Coordinator, Rules Work

One chilly day in January 1609, in the ornate environment of Stationers' Hall in London, a group of eminent men gathered for their first meeting. The "General Committee of Revision" was brought together to review the final draft of the King James Bible, and for many months afterwards the same men listened, meeting after meeting, as the new bible was read aloud, searching earnestly for every nuance, every possible oversight in every verse. And they were not the first. The final draft, the object of their labours, had itself been reviewed over thirteen times by six sub-committees meeting in London, Cambridge and Oxford.

The process of simplifying the rules of the Central Council, triggered by the Central Council Review (CRAG) proposals which were accepted at the last annual meeting in Edinburgh, will hopefully be less onerous and those doing it are far less eminent. Unlike the General Committee of Revision, its proceedings need not be conducted or recorded in Latin, nor is its output to be proclaimed from pulpits around the country.

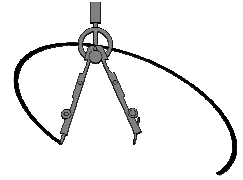
“A set of rules which are simple, robust and acceptable to the vast majority”

But there is one similarity which has not been lost on the small team which has been formed to tackle the "Rules Work". The scholars who met in 1609 were determined that their output should be expressed in clear, direct and simple language. There were to be few if any subordinate clauses, and footnotes were expressly forbidden. Our quest is likewise for a set of rules which are simple, robust and acceptable to the vast majority; which contain the right checks and balances, without language getting in the way.

The task you have given us

The last Central Council Meeting in Edinburgh which triggered the "Rules Work" seems a long time ago, so it's perhaps worth recalling why this work is necessary. As Christopher O'Mahony, the current President, puts it, "the clear mandate at Edinburgh was to reform and renew the Council's governing structures so as to deliver better services that benefit ringers and ringing."

A key first step on this journey, identified by CRAG, is to remove some of the organisational barriers which have frustrated the Council's efforts over recent years and introduce a more effective form of decision-making, notably through the introduction of a board of trustees (or "Executive") as employed by the majority of UK charities, supported by teams of subject matter experts (or "Workgroups").



Ironically, the original rules agreed by the Central Council over 100 years ago met these objectives in large measure. But rather like so many distinguished buildings, they have become disfigured by repeated extensions and alterations over the years. Additions which served a function in times past have become obstacles long after their original purpose disappeared. Rules which met the needs of one generation have come to imprison the next. So the CRAG committee took the view that a thorough review was necessary to incorporate its proposals in a way which did not add yet another layer of complexity.

Our brief, as defined by CRAG Proposal F, adopted in Edinburgh, is to “*simplify the rules of the Council, replacing them with a short statutory set of rules supported by a set of operating principles and procedures. All of the necessary rule changes required by the foregoing proposals (A to E) will be incorporated into this work. The new rules should be compliant with Charity Commission guidance.*”

The Scope

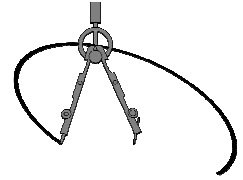
All of us taking part in this task have our own personal thoughts about how the Council should move forward, which we have to set aside. There is a clear brief arising from CRAG proposals A to E, which already contain much of the detail, and the task is to encapsulate them through rules and procedures which are simple and compliant with Charity Commission guidance.



Rules are Rules, but are they helping?

If something can be simplified or a change is needed to meet Charity Commission rules we will make the change, but in other respects our mandate is simply to deliver the new mechanisms which CRAG proposals A to E required should be in place after the 2018 council meeting. It is not to pursue CRAG’s longer term vision or introduce reforms which it did not contemplate.

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Our organisation

The Rules Work team comprises six volunteers. We are fortunate to have the legal skills of David Bleby and Daniel Meyer on board and these are supplemented by the experience of Andrew Wilby and Christopher O’Mahony. Finally, Pat Wheeler brings an in-depth knowledge of CRAG’s proposals which will help to keep us all honest.

Critical to our success will be careful scrutiny of the various documents we produce. Ideally, this task is best performed by a team which can think objectively and is not too close to the drafting process, so we have divided ourselves into a drafting team of two and, separately, a review panel of four, whose role will be to ensure an effective QA of each document we produce.

Our Objectives

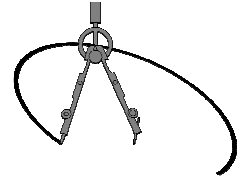
Before cracking on with the detail, we need to ensure that our work is being guided by sound principles and that we have got a few high-level decisions right. We have therefore produced three short documents (a *Terms of Reference*, a *Scope and Approach* document and an *Architectural Decisions* document) which can be read or downloaded from the Central Council’s Rules Work page, which in turn can be found within the Central Council Reform section. We need to know your views on these high-level documents now, before we start drafting in earnest, to ensure that our work is guided by the right objectives. The remainder of this article summarises the key elements of these documents.

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The Criteria for Success

In defining our approach, we have identified seven criteria for success:-

1. *Permissive, but sound* – the revised rulebook should avoid the temptation to be over-prescriptive where this is not necessary, whilst also ensuring compliance with the Charity Commission’s guidance on best practice.
2. *Effective consultation* – the drafting work must be supported by robust peer review and a strong consultation process among the wider ringing community.



3. *Well before time* – we need to publish our final output well before the next annual Council meeting, preferably before spring 2018, when the majority of guilds hold their annual meetings.
4. *Agile Approach* – we need the scrutiny that a committee can offer, whilst avoiding the downsides which have led “drafted by a committee” to become a term of abuse!
5. *Charity Commission Compliant* – a digest of relevant Charity Commission guidance will be used through the drafting process and we will also refer to the Charity Commission’s Model Constitution. In addition we will undertake a broad-brush review of our output against the governing documents of three equivalent charities.
6. *Robust Transition Plan* – we will include simple but effective transition arrangements to allow CRAG proposals A to E to be implemented in an orderly way.
7. *Delivers on CRAG Proposal F* – we will enhance or amend CRAG’s proposals where this is essential to meet Charity Commission requirements, but otherwise our purpose is to deliver CRAG proposal F as adopted at the Edinburgh meeting.

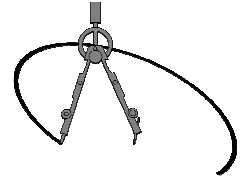
How does the Council Change its Rules ?

The technical process is guided by the Council’s existing rules and by the Charity Commission. The next Council meeting in May 2018 will be presented with a motion enabling the existing rules to be replaced with the new rulebook. The Charity Commission simply require the Council’s trustees to inform them of any rule changes on which the Council has decided.

The Proposed Rulebook

To ensure the new rulebook is not over-prescriptive on matters of detail, CRAG Proposal F requires us to create “a short statutory set of rules supported by a set of operating principles and procedures”, and we are therefore proposing that the revised rulebook takes the form of four documents:-

- A **Rules** document will contain the fundamental provisions necessary to sustain the Council, secure good governance and maintain compliance with Charity Commission and statutory regulation. To change the Rules will require a two-thirds majority at a Council meeting.
- A **Procedures** document, subordinate to the Rules, will contain additional by-laws and procedures introduced by the Executive from time to time. These may also be amended at a Council meeting through a simple majority, in which case the wishes of the Council will prevail.



- A **Policies** document will contain published policies, standards and decisions on matters of good practice (for example on recruitment, diversity, safeguarding, and methods) published by the Executive.
- A **Transition** document will contain any special arrangements necessary in the first year to enable an orderly transfer from the existing rules to the new Rules and Procedures.

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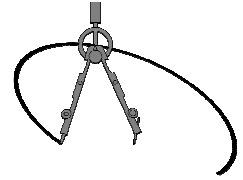
Will guild constitutions need to be changed ?

The short answer at this time is ‘probably not’. The changes which CRAG has recommended for May 2018 relate to the way in which the Central Council makes decisions, but they will not affect its name or, at least initially, its representative structure. The majority of guild constitutions simply mention that their Central Council Representatives should be elected in accordance with the Central Council’s rules, so no change will be required. If members of a guild or association are aware that their constitution may need amendment, please let us know.

Key Decisions Ahead

Although the work of revising the rules is largely a technical matter, we have identified a small number of key ‘architectural’ decisions which will guide the drafting process. The questions we have asked and our current thinking is set out in an *Architectural Decisions* document, which covers key questions such as:-

1. *Should the Central Council continue to have Charitable Status?*
2. *Should the Central Council become a Charitable Company or Charitable Incorporated Association?*
3. *To what extent should the existing triennial cycle be retained?*
4. *Should the Executive’s President be an Executive or Non-executive role?*
5. *Should the new Rules specify a reduced size of Council?*
6. *Who should chair the Council’s meetings?*
7. *Should the additional four Executive members be elected together (four candidates with the highest votes elected) or elected individually?*
8. *How should the new Rules cater for direct membership?*



How can you help?

It is vital that we receive feedback from the widest possible range of ringers to ensure that we keep true to the brief we have been given, and that the new rulebook which emerges from this process is balanced, robust and acceptable to the vast majority.

At this stage, we would welcome your feedback on the three documents referred to above (all of which can be found on the Rules Work page of the Central Council website) in one of two ways:-

1. For brief comments, just use the “Have Your Say” button on the Rules Work page.
2. For more comprehensive feedback, email your thoughts to us at constitution@cccbr.org.uk.

In both cases, we would ask for your name, where in the country you ring and whether you are a Central Council representative or guild officer.

Please ensure all comments are submitted by **Friday 6th October**. Your feedback will guide our work on the first draft of the new rulebook, which will be published in late October for consultation.

We are realistic enough to accept that this is a technical area where it will be impossible to please everyone on every point of detail, but we hope that this iterative process will ensure that no one will feel that their views have been ignored, and that the resulting rulebook will be broadly acceptable to all.

The above article appeared in the Ringing World edition of Friday 22nd September 2017.